

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 21 CS Social Status of African-American Men and Boys
SPONSOR(S): Peterman and others
TIED BILLS: None. **IDEN./SIM. BILLS:** CS/SB 436

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Future of Florida's Families Committee</u>	<u>7 Y, 0 N, w/CS</u>	<u>Davis</u>	<u>Collins</u>
2) <u>Criminal Justice Appropriations Committee</u>	<u>4 Y, 0 N</u>	<u>Sneed</u>	<u>DeBeaugrine</u>
3) <u>Health & Families Council</u>	<u>8 Y, 0 N, w/CS</u>	<u>Davis</u>	<u>Moore</u>
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 21 CS creates a 19-member Council on the Social Status of Black Men and Boys to make a systematic study of the conditions affecting Black men and boys, including, but not limited to, the homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

The members of the council shall consist of legislators, various government officials, and persons appointed by the Speaker of the House of Representatives, President of the Senate, and the Governor, and shall be administratively staffed by the Office of the Attorney General.

The council shall issue its first annual report by December 15, 2007, and by December 15 of each following year, stating the findings, conclusions, and recommendations of the council.

The Attorney General's Office states the need for three FTEs and \$182,751 in recurring general revenue funds to provide for the administrative staffing and expenses of the commission. This bill provides no staff positions or funding.

This act shall take effect January 1, 2007.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Limited Government: This bill creates an additional advisory board.

B. EFFECT OF PROPOSED CHANGES:

Present Situation:

Some observers claim that the social status of African-American men and boys has declined over the last decade, and is a cause for great concern throughout society. According to the bill sponsor, the effects of social policy as they relate to African-American males, have a direct impact on the lives of all Florida citizens. Therefore, he feels that the social status of African American males must be improved. The social issues that the sponsor feels require the most urgent attention include:

- **Physical and Mental Health:** According to the Harvard Medical School's Consumer Health Information Center, black men live an average of 7.1 years less than other racial groups. Almost 12% of African-American males suffer from depression and less than 16% of black men seek needed mental health treatment.
- **Unemployment:** According to the Alternative School Network, over the past five years, one in every four black men in the United States was permanently unemployed, a rate double that of white men.
- **Incarceration:** According to the Department of Justice, in 2003, over 9% of all black males, ages 26 to 29 were incarcerated. According to the Justice Policy Institute, black men in their early 30's are twice more likely to have prison records than Bachelor degrees. Finally, according to the Florida Department of Corrections, in 2004, 51.9% of Florida's prison population consisted of African-American males.
- **Education:** According to the American Council on Education, over the past decade, the high school graduation rate for black men has fallen 43%. The Department of Education reported in January 2005 that while the majority of dropouts in 2003-04 were white students, dropout rates were highest among Black and Hispanic students. Of the 25,587 dropouts reported for grades 9-12 in the 2003-04 school year, 7,801 (30.5 percent) were Black. The dropout rate for Blacks fell from 5.5 percent in 1999-00 to 3.6 percent in 2003-04. Dropout rates also vary by gender group, with males having a higher percentage of dropouts than females.

The Centers for Disease Control and Prevention cite homicide as the leading cause of death for black males between the ages of 15 and 34, with 4,412 such victims in 2000 alone. From 1976 to 2000, 195,757 African-American males have been victims of homicide according to the Federal Bureau of Investigation. That figure does not include the 56,776 murdered African-American females, which brings the total black homicide count over the past 27 years to 252,533. According to the Bureau of Justice Statistics, 94% of black homicide victims were killed by other blacks. The white homicide toll in the same time frame totals 275,529, which means the Black rate is more than six times higher.

Highlights of the Equality Index Findings in Five Areas include:

On March 24, 2003, as part of "The State of Black America 2004: The Complexity of Black Progress," the National Urban League released an "Equality Index," a statistical measurement of the disparities that exist between blacks and whites in economics, health, education, social justice, and civic engagement.

- **Economics** - Black economic status measures 56% of white counterparts
- **Health** - Blacks' health status measures 78% of whites

- Education - Total educational performance is 76% as compared to whites
- Social Justice - When it comes to equality under the law, blacks' status is 73%
- Civic Engagement - Blacks out measure whites in the area of civic engagement (voter registration, volunteerism, government service).
 - **Democratic Process:** The registered voter index shows a slightly higher percentage of whites registered to vote than blacks.
 - **Volunteerism:** Volunteerism includes both community volunteerism and military volunteerism. Military volunteerism indicates that a substantially higher percentage of blacks volunteer in the military. The unionism index shows a higher percentage of blacks in unions than whites. Union representation index shows that blacks are more concentrated in union jobs than whites.
 - **Government Employment:** Federal Government Employment index shows a greater percentage of blacks employed by federal government than whites, almost twice the rate. The index shows significantly more blacks concentrated in state and local government jobs than whites.

According to the Centers for Disease Control and Prevention, poverty rarely kills directly. Few people drop dead in the streets from hunger or exposure to the elements. Poverty does produce a range of physical and psychological stresses, and some reactions to these stresses are expressed in behaviors that destroy life. Members of the victim group may contribute to their own victimization through adaptations to bleak life conditions that include violence directed at self or others (e.g., suicide and homicide) as well as self-destructive lifestyles (notably addiction to drugs and alcohol).

The Florida Consortium of Urban Leagues conducts a Statewide Black-on-Black Crime Prevention Program to combat crime in the African-American community. This program is funded by the Florida Legislature through the Florida Department of Legal Affairs. The Pinellas County Urban League is the lead affiliate for this campaign, which also includes the Urban League affiliates in Ft. Lauderdale, Jacksonville, Miami, Orlando, Tallahassee, Tampa, and West Palm Beach.

This program is designed as a public awareness and education effort to motivate the Black community to support, promote, and participate in crime prevention programs and activities. This campaign also focuses on methods and measures of increasing public awareness and educating the Black community on the extent of crime in the Black community. Although awareness and education are necessary first steps, the elimination of crime in Black communities is the program's ultimate goal.

While each affiliate is granted flexibility in choosing the techniques and activities deemed most appropriate in addressing the particular needs of their respective communities, the Consortium as a whole works to achieve common objectives as outlined in the program's contract.

According to the bill sponsor, social issues facing African-American males are not limited to Florida. Other state legislatures have realized the social problems facing African-American males and have created commissions to remedy the problems within their own states. These commissions include:

- Ohio Commission on African-American Males
- Indiana Commission on the Social Status of Black Males
- Washington, D.C. Commission on African-American Males
- Maryland Task Force on the Education of African-American Males

Effects:

The council will consist of 19 members who will be appointed. Two members each from the House and Senate, not from the same political party, will serve on this council. The members from the House will be appointed by the Speaker of the House of Representatives and the members from the Senate will be appointed by the Senate President. The other members appointed to this council will include the following individuals or their designees: the Secretary of the Department of Children and Family

Services; the director of the Mental Health Program Office within the Department of Children and Family Services; the Secretary of the Department of Health; the Commissioner of Education; the Secretary of the Department of Corrections; the Attorney General; the Secretary of the Department of Management Services; the director of the Agency for Workforce Innovation; a businessperson of Black origin appointed by the Governor; two persons appointed by the President of the Senate who are not members of the Legislature, one of whom must be a clinical psychologist; two persons appointed by the Speaker of the House of Representatives who are not members of the Legislature or employed by state government, one of whom must be an Africana studies professional; the deputy secretary for Medicaid in the Agency for Health Care Administration; and the Secretary of the Department of Juvenile Justice.

The council shall make a systematic study of the conditions affecting Black men and boys, including, but not limited to, homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

Once this study has been conducted, the council shall propose measures to alleviate and correct the underlying causes of the conditions described above. These measures may consist of changes to the law or systematic changes that can be implemented without legislative action. The council may study other topics suggested by the Legislature or as directed by the chair of the council. The council shall receive suggestions or comments pertinent to the applicable issues from members of the Legislature, governmental agencies, public and private organizations, and private citizens. The council shall meet quarterly and at the call of the chair or as determined by a majority of council members.

The Office of the Attorney General shall provide staff and administrative support to the council. The Office of the Attorney General submitted a fiscal impact of \$182,751 for three FTE positions to provide administrative support to the council and to cover any necessary travel and per diem costs for council members conducting council business.

The council shall issue its first annual report by December 15, 2007, and by December 15 of each following year. The report will outline the findings, conclusions, and recommendations of the council. These findings shall be submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the standing committees of jurisdiction in each chamber.

This council shall expire July 1, 2012, unless reenacted by the Legislature. This act shall take effect January 1, 2007.

C. SECTION DIRECTORY:

Section 1. Creates the Council on the Social Status of Black Men and Boys.

Section 2. Provides an effective date of January 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

FY 2005-06

Office of the Attorney General
Recurring Budget:

3 FTE Positions	
Salaries and Benefits	\$123,194
Expenses	52,478
OCO	5,900
HR:	<u>1,179</u>
Total:	\$182,751

Non-Recurring Budget:

Expenses	\$9,427
OCO	<u>5,900</u>
Total:	\$15,377

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditures of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority to the Attorney General's Office.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On October 19, 2005, the Future of Florida's Families Committee adopted a strike everything amendment and reported the bill favorably with a committee substitute. The committee substitute contains two technical

changes to clarify the intent and a third change to address reimbursement for per diem and travel expenses for all council members.

This analysis is drafted to the committee substitute.

On April 10, 2006 the Health and Families Council adopted a strike everything amendment and reported the bill favorably with a committee substitute. The committee substitute made the following changes:

- The amendment changed the name of the Council on the Social Status of African-American Men and Boys to the Council on the Social Status of Black Men and Boys.
- Council members are appointed to 4-year terms, except the initial appointments are for staggered terms (9 members appointed to 2 year terms and 10 members appointed to 4 year terms). Eleven members shall constitute a quorum.
- The initial report of the council shall include the findings of an investigation into factors causing black-on-black crime.
- Council meetings are required to be public and all records are subject to the public records requirements of law.
- All council members must file a disclosure of financial interests pursuant to law.
- The effective date is changed from July 1, 2006 to January 1, 2007.
- The bill is conformed to CS/SB 436.

The analysis is drafted to the council substitute.